

# **CITY COUNCIL AGENDA**

**MARCH 29, 2005**

## **SYNOPSIS**

LINDA J. LE ZOTTE  
FORREST WILLIAMS  
CINDY CHAVEZ, VICE MAYOR  
CHUCK REED  
NORA CAMPOS

DISTRICT 1  
DISTRICT 2  
DISTRICT 3  
DISTRICT 4  
DISTRICT 5

RON GONZALES MAYOR

KEN YEAGER  
VACANT  
DAVID D. CORTESE  
JUDY CHIRCO  
NANCY PYLE

DISTRICT 6  
DISTRICT 7  
DISTRICT 8  
DISTRICT 9  
DISTRICT 10

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- ***Strategic Support Services*** — The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- ***Economic and Neighborhood Development*** — Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.
- ***Recreation and Cultural Services*** — Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- ***Transportation Services*** — A safe and efficient transportation system that contributes to the livability and economic health of the City.
- ***Environment and Utility Services*** — Manage environmental services and utility systems to ensure a sustainable environment for the community.
- ***Aviation Services*** — Provide for the air transportation needs of the community and the region at levels that are acceptable to the community.
- ***Public Safety Services*** — Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.

Items listed in Section 10 require approval of both the City Council and the San José Redevelopment Agency Board.

You may speak to the City Council about any item that is on the agenda, and you may also speak on items that are not on the agenda during Open Forum. If you wish to speak to the City Council, please refer to the following guidelines:

1. **Fill out a Yellow Speaker's Card and submit it to the City Clerk seated at the front table. Do this before the meeting or before the item is heard.** This will ensure that your name is called for the item/s that you wish to address, and it will help ensure the meeting runs smoothly for all participants.
2. When the Council reaches your item on the agenda, Mayor Ron Gonzales will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk's table.
3. Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Mayor's discretion, depending on the number of speakers or the length of the agenda.
4. To assist you in tracking your speaking time, there are three lights located to the far right of the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

**The San José City Council meets every Tuesday at 1:30 p.m. and every first and third Tuesday at 7 p.m., unless otherwise noted. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.**

Agendas and Staff Reports for City Council items may be viewed on the Internet at [www.sanjoseca.gov/clerk/agenda.htm](http://www.sanjoseca.gov/clerk/agenda.htm)

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, please call 1 (408) 277-4424 or 1 (408) 998-5299 (TTY) at least two business days before the meeting.

On occasion the City Council may consider agenda items out of order.

- **Call to Order and Roll Call**  
9:30 a.m. - Closed Session, Room 600, City Hall  
**Absent – Council Members: None.**  
  
1:30 p.m. - Regular Session, Council Chambers, City Hall  
**Absent – Council Members: None.**
- **Invocation (District 3)**  
**Susan Davis, Rape Crisis Center at the YMCA, discussed upcoming events for the “Walk A Mile in Women’s Shoes” event.**
- **Pledge of Allegiance**  
**Mayor Gonzales led the Pledge of Allegiance.**
- **Orders of the Day**  
**The Orders of the Day and Amended Agenda were approved.**

## **1 CEREMONIAL ITEMS**

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- 1.1** Presentation of commendations to Ted and Helen Johnson for their exemplary dedication and invaluable contributions to the San Jose community. (Campos/Mayor)  
**Council Member Campos joined Mayor Gonzales at the podium to present commendations to Ted and Helen Johnson for their exemplary dedication and invaluable contributions to the San José community in District 5.**
- 1.2** Presentation of a commendation to Virginia Beck for her exemplary dedication and invaluable contributions to the City organization. (City Manager/Mayor)  
**Mayor Gonzales was joined at the podium by City Manager Del Borgsdorf to present a commendation to Virginia Beck for her exemplary dedication and invaluable contributions to the San José community.**

# 1 CEREMONIAL ITEMS

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- 1.3 Presentation of a commendation to the Sons in Retirement in honor of their 40<sup>th</sup> anniversary. (Yeager)  
**Mayor Gonzales and Council Member Yeager presented a commendation to the Sons of Retirement in honor of their 40<sup>th</sup> Anniversary.**
- 1.4 Presentation of a commendation to the San José Permits Online Development Team for their work in creating a comprehensive online database of various City Departments, allowing customers to access all information on permits, land use, and geographic data for a specific parcel from their website. (Campos)  
**Mayor Gonzales and Council Member Campos presented a commendation to the San José Permits Online Development Team for their work in creating a comprehensive online database of various City Departments, allowing customers to access all information in permits, land use, and geographic data for specific parcel from their website.**
- 1.5 Presentation of commendations to Sergeant John Rose (Police Department) and Andrea Shecter (Library Department) recognizing them as 2005 Project Cornerstone Asset Champions for promoting the developmental assets that are the essential building blocks of healthy child and youth development. (Yeager)  
(Rules Committee referral 3/23/05)  
**Council Member Yeager joined Mayor Gonzales to present commendations to Sergeant John Rose (Police Department) and Andrea Shecter (Library Department) recognizing them for their work with Project Cornerstone (asset for healthy child and youth development).**

# 2 CONSENT CALENDAR

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- 2.1 **Approval of Minutes.**  
None.
- 2.2 **Final adoption of ordinances.**

**Recommendation:** Final adoption of ordinances:

- (a) ORD. NO. 27375 – Amends Title 23 of the San José Municipal Code by Amending Chapters 23.02 and 23.04 to expand the Downtown Sign Zone Boundaries and include regulations for Mixed-Use Development, to modify skyline and rooftop sign provisions to apply Citywide, to modify commercial signage regulations pertaining to large, multistory retail uses, to modify projecting and FIN sign provisions and 3-dimensional sign provisions in certain areas, to establish a minimum base height for detached signs, to clarify public outreach sign allowances, and to reorganize and reformat certain sections and make other minor, clarifying technical changes and corrections.  
**Ordinance No. 27375 adopted.**

## 2 CONSENT CALENDAR

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### 2.2 Final adoption of ordinances. (Cont'd.)

**Recommendation:** Final adoption of ordinances:

- (b) ORD. NO. 27377 – Amends Title 12 of the San José Municipal Code by adding a new Chapter 12.16 to require disclosure of fundraising solicitations by elected officials of the City of San José and the Redevelopment Agency Board of Directors.

**Ordinance No. 27377 adopted.**

- (c) ORD. NO. 27378 – Amends sections 20.100.1030 and 20.100.1040 of part 9 of Chapter 20.100 of Title 20 of the San José Municipal Code to provide for an exception for City landmarks and historic district houses and to provide for a more simplified process for certain homes listed in the City's historic resources inventory.

**Ordinance No. 27378 adopted.**

- (d) ORD. NO. 27379 – Rezones certain real property situated on the southeast corner of South 2<sup>nd</sup> Street and East Virginia Street from CN Commercial Neighborhood Zoning District to A(PD) Planned Development Zoning District. PDC04-011

**Ordinance No. 27379 adopted.**

- (e) ORD. NO. 27380 – Rezones certain real property situated on the north side of Story Road, approximately 720 feet southwesterly of McLaughlin Avenue (915 Story Road) to A(PD) Planned Development Zoning District. PDC04-045

**Ordinance No. 27380 adopted.**

### 2.3 Approval to award a contract for parking enforcement equipment and accessories.

**Recommendation:** Report on bids and award of contract for the purchase of parking enforcement equipment for the Department of Transportation and accessories to the lowest responsive bidder, Turbo Data Systems, Inc, at a total cost of \$169,765.95, including tax, freight and extended warranty, and authorization for the Director of Finance to:

- (a) Execute the purchase order for the immediate purchase of 30 handheld computer ticket writers, thirty portable printers, and related software and accessories; and
- (b) Approve the purchase of an additional 10 handheld computer ticket writers and 10 portable printers, and related software and accessories at the same unit pricing over the next 12 months, without further Council approval other than the appropriation of necessary funding.

CEQA: Not a Project. (General Services/Finance)

**Approved.**

## 2 CONSENT CALENDAR

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### 2.4 Approval of actions related to the Almaden Branch Library naming.

**Recommendation:** Approval for Almaden Branch Library to retain its longstanding name. CEQA: Exempt, PP05-055. Council District 10. (Library)

**Approved.**

### 2.5 Approval to submit grant applications related to trails.

**Recommendation:** Adoption of a resolution authorizing the City Manager to submit grant applications as part of the Santa Clara Valley Water District's (SCVWD) Trails, Parks and Open Space Grant Program for Bay Trail Reach 7A (\$250,000), Coyote Creek Trail Reach 5 (\$300,000), and the Willow Glen Spur Trail (\$300,000). CEQA: Not a Project. Council Districts 4, 6, and 7. (Parks, Recreation and Neighborhood Services)

**Resolution No. 72591 adopted.**

### 2.6 Approval of various actions related to the Hacienda Creek Park improvements.

**Recommendation:**

- (a) Adoption of a resolution authorizing the Director of Public Works to negotiate and execute an agreement to accept and record a Grant Deed from ROEM Development Corporation (ROEM), for unencumbered land and park improvements associated with Hacienda Creek Park as a condition from Planned Development Rezoning Project PDCSH01-10-097, at a total cost of \$294,000.
- (b) Adoption of the following appropriation ordinance and funding source resolution amendments in the Subdivision: Park Trust Fund (Fund 375):
  - (1) Establish an appropriation in the amount of \$294,000 to the Parks, Recreation and Neighborhood Services Department for the Hacienda Creek Park Project;
  - (2) Increase the Earned Revenue estimate by \$287,500; and
  - (3) Decrease the Reserve: Future PDO/PIO Projects by \$6,500.

CEQA: Mitigated Negative Declaration, PDC01-10-097. Council District 3. SNI: Five Wounds/Brookwood Terrace. (Parks, Recreation and Neighborhood Services/City Manager's Office)

**Deferred to 4/12/05.**

### 2.7 Adoption of a resolution ordering the reorganization and annexation of territory designated as Evergreen No. 187

**Recommendation:** Adoption of a resolution ordering the reorganization of territory designated as Evergreen No. 187 which involves the annexation to the City of San José of 0.52 acres of land more or less, located on the east side of Ruby Avenue 70 feet northwesterly and opposite Chapala Drive and adjacent to the City of San José annexations Evergreen Nos. 132 and 170 and the detachment of the same from Santa Clara County Central Fire Protection and Area No. 01 (Library Services) County Services. CEQA: Resolution No. 65459. Council District 8. (Planning, Building and Code Enforcement)

**Resolution No. 72592 adopted.**

## 2 CONSENT CALENDAR

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### 2.8 Approval of actions related to the Edward Byrne Memorial Justice Assistance Grant.

**Recommendation:** Adoption of a resolution to:

- (a) Join with the County of Santa Clara and seven other cities in applying for the U.S. Department of Justice FY 2005 Edward Byrne Memorial Justice Assistance Grant; and
- (b) Accept the grant if it is awarded; and
- (c) Authorize the City Manager to execute all related grant agreements with the County of Santa Clara, including a Memorandum of Understanding with the eight participating jurisdictions.

CEQA: Not a Project. (Police)

**Resolution No. 72593 adopted.**

### 2.9 Approval of various actions to authorize the Director of Public Works to execute change orders to save money on contracts.

**Recommendation:**

- (a) Adoption of a resolution delegating to the Director of Public Works authority to issue change orders to save money on contracts for the Airport Master Plan public works contracts in any amount, which is in addition to the authority of the Director of Public Works to issue change orders for the Airport Master Plan public works contracts pursuant to Municipal Code Section 14.04.415D.

**Resolution No. 72594 adopted.**

- (b) Approval of an ordinance amending Section 14.04.415 of Chapter 14.04 of the San José Municipal Code to authorize the Director of Public Works to issue change orders to reduce the compensation for the Airport Master Plan public works contracts in any amount.

CEQA: Resolution Nos. 67380 and 71451, PP 04-092. (Public Works/Airport)

**Ordinance No. 27385 passed for publication.**

## **2 CONSENT CALENDAR**

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### **2.10 Approval of an agreement related to the Communications Hill Specific Planned Development.**

#### **Recommendation:**

- (a) Approval of an agreement with KB Home South Bay, Inc., to fund and perform a community facilities district feasibility study and formation analysis for the maintenance of improvements for an area within the Communications Hill Specific Planned Development (CFD 11).

**Approved.**

- (b) Adoption of appropriation ordinance and funding sources resolution amendments in the Construction Excise Tax Fund:

- (1) Establish an appropriation to the Department of Public Works for the CFD No. 11 Feasibility Study Project in the amount of \$20,000.

- (2) Increase the estimate for Earned Revenue by \$20,000.

CEQA: Exempt, PP05-021. Council District 7. (Public Works/City Manager's Office)

**Ordinance No. 27386 adopted.**

**Resolution No. 72595 adopted.**

### **2.11 Approval of an agreement related to Basking Ridge Avenue.**

#### **Recommendation:**

- (a) Approval of an agreement with Metcalf Partners, LLC, Lennar Homes of California, Inc., to fund and perform a community facilities district feasibility study and formation analysis to provide maintenance services for improvements to a proposed residential development at the terminus of Basking Ridge Avenue (CFD 12).

**Approved.**

- (b) Adoption of appropriation ordinance and funding sources resolution amendments in the Construction Excise Tax Fund:

- (1) Establish an appropriation to the Department of Public Works for the CFD No. 12 Feasibility Study Project in the amount of \$30,000.

- (2) Increase the estimate for Earned Revenue by \$30,000.

CEQA: Resolution No. 71360, PP05-36. Council District 2. (Public Works/City Manager's Office)

**Ordinance No. 27387 adopted.**

**Resolution No. 72596 adopted.**

### **2.12 Approval of an agreement for the San José Signal Retiming Project (Phase II).**

**Recommendation:** Approval of a “Waiver of Claims and Indemnification” agreement with the Metropolitan Transportation Commission (MTC) that would allow the City to receive approximately \$400,000 in consultant services previously approved by the City Council for the San José Signal Retiming Project Phase II. CEQA: Not a Project. (Transportation)

**Approved.**



## **2 CONSENT CALENDAR**

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### **2.13 Approval of Mayor Gonzales' travel.**

**Recommendation:** Approval of Mayor Gonzales' travel to Cambridge, England and Helsinki, Finland, April 6 – April 13, 2005 for the Mayor's Economic Development Mission Finland-England. Funding: Office of Economic Development. (Mayor)  
(Rules Committee referral 3/23/05)

**Approved.**

## **3 STRATEGIC SUPPORT SERVICES**

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### **3.1 Report of the Study Session**

**Mayor Gonzales, Chair**

**None.**

### **3.2 Report of the Rules Committee – March 16, 2005**

**Vice Mayor Chavez, Chair**

- (a) Redevelopment Agency items reported out at Redevelopment Agency meeting
- (b) City Council
  - (1) Review March 29, 2005 Council Agenda
  - (2) Add New Items to March 22, 2005 Amended Agenda
  - (3) List of Reports Outstanding
- (c) Legislative Update
  - (1) State
  - (2) Federal
- (d) Meeting Schedules
- (e) The Public Record
- (f) Appointments to Boards, Commissions and Committees
- (g) Rules Committee Reviews, Recommendations and Approvals
  - (1) Surplus Vehicles  
**SEE ITEM 3.4 FOR COUNCIL ACTION TO BE TAKEN**
  - (2) Committee Meeting Broadcasts  
**SEE ITEM 3.5 FOR COUNCIL ACTION TO BE TAKEN**
- (h) Oral Communications
- (i) Adjournment

**The Rules Committee Report and Actions of March 16, 2004 were accepted.**

### **3 STRATEGIC SUPPORT SERVICES**

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#### **3.3 Report of the Making Government Work Better Committee – March 17, 2005 Council Member Reed, Chair**

- (a) Follow-up Report on Fire Department Overtime and Relief Staffing
- (b) Streamlining and Technology Update
- (c) Police Department Marked Patrol Vehicle Fleet Size
- (d) Single Audit Report
- (e) Management Letter
- (f) Oral Petitions
- (g) Adjournment

**The Making Government Work Better Committee Report and Actions of March 17, 2005 were accepted.**

#### **3.4 Approval to donate three vehicles.**

**Recommendation:** Adoption of a resolution authorizing the Director of General Services to execute all documents necessary for the donation of one (1) pickup truck, and two (2) passenger vans with a total estimated value of \$2,665 to Our City Forest.

CEQA: Not a project. (General Services)

[Rules Committee referral 3/16/05 – Item 3.2(g)(1)]

**Resolution No. 72597 adopted.**

#### **3.5 Approval of actions related to Committee Meeting Broadcasting.**

**Recommendation:** Approval to web stream the audio portion of Committee meetings over the Internet. (City Manager's Office)

[Rules Committee referral 3/16/05 – Item 3.2(g)(2)]

**Approved.**

### **4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT**

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#### **4.1 Report of the Building Strong Neighborhoods Committee Council Member Chirco, Chair**

None.

#### **4.2 Report of the Driving a Strong Economy Committee Council Member Williams, Chair**

None.

### **5 RECREATION & CULTURAL SERVICES**

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#### **5.1 Report of the All Children Achieve Committee Council Member Yeager, Chair**

None.

## **5 RECREATION & CULTURAL SERVICES**

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### **5.2 Approval of agreements for the Gardner Elementary School site.**

**Recommendation:**

- (a) Approval of a Second Amended Lease with San José Unified School District (“District”) and Estrella Family Services (“Estrella”) for a community facility located on the Gardner Elementary School site, adding the City to the District’s current Lease with Estrella covering the child care center, for a term ending June 30, 2019.

**Approved.**

- (b) Adoption of a resolution authorizing the City Manager to negotiate and execute:
- (1) A contract for Sale of Personal Property, located at 611 Willis Street, San José, CA 95112, evidencing the transfer of title of the Center from Estrella Family Services to the City, in exchange for a payment of \$617,000;
  - (2) A Sublease of the Center with Estrella for a term ending June 30, 2019, pursuant to which Estrella Family Services will run recreational programs at the Center, and provide child care services meeting the Smart Start San José Program Quality Standards.

CEQA: Exempt, PP05-037. Council District 3. (Library)

**Resolution No. 72598 adopted.**

## **6 TRANSPORTATION SERVICES**

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### **6.1 Report of the Building Better Transportation Committee Council Member Campos, Chair**

**None.**

### **6.2 Acceptance of the VTA’s Long-Term Transit Capital Investment Program presentation.**

**Recommendation:** Acceptance of report and presentation on the draft Santa Clara Valley Transportation Authority (VTA) Long Term Transit Capital Investment Program and the potential additional ½ cent sales tax measure for transit operations and maintenance, and local street maintenance and improvements. CEQA: Not a project. (Transportation/VTA)

[Building Better Transportation Committee referral 3/7/05 – Item 6.1(d)(1)]

**The Report was accepted.**

**Council provided feedback and input for VTA consideration. Staff to forward to the VTA Board, the feedback and return to the Building Better Transportation Committee with more information about zero-emission buses.**

## 6 TRANSPORTATION SERVICES

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### 6.3 Approval to award a contract for the Towers Lane Improvement Project.

**Recommendation:** Reports on bids and award of contract for the Towers Lane Improvement Project (north of Aborn Road) to the low bidder, DeSilva Gates Construction, LP, in the amount of \$626,191 and approval of a contingency in the amount of \$94,000. CEQA: Exempt, PP 02-03-046. Council District 7. SNI: West Evergreen. (Public Works/Transportation)

**Approved.**

### 6.4 Approval of actions to establish speed limits.

**Recommendation:** Repeal Resolution No. 72221 related to the establishment of speed limits in the City of San José and adoption of a resolution establishing limits in the City of San José with changes to the following roadways:

- (a) Cypress Avenue, between Stevens Creek Boulevard and Constance Drive, from 30 MPH to 25 MPH.
- (b) Second Street, between Jackson Street and Julian Street, from 30 MPH to 25 MPH.
- (c) Singleton Road, between Senter Road and Locke Drive, from 30 MPH to 25 MPH.
- (d) Chynoweth Avenue, between New World Drive and Barron Park Drive, from 35 MPH to 30 MPH.
- (e) Fenian Drive, between Rincon Avenue and Keith Drive, from 35 MPH to 30 MPH.
- (f) Santa Clara Street, between Autumn Street and Market Street, from 35 MPH to 30 MPH.
- (g) Tully Road, between Capitol Expressway and White Road, from 45 MPH to 40 MPH.
- (h) Parkmoor Avenue, between Meridian Avenue and Lincoln Avenue, from 25 MPH to 30 MPH.

CEQA: Exempt, PP05-030. Council Districts 1, 3, 6, 7, 8 and 10. (Transportation)

**Resolution No. 72599 adopted.**

### 6.5 Approval of the HP Pavilion's Transportation and Parking Management Plan.

**Recommendation:** Approval of the 2004-2005 edition of the Transportation and Parking Management Plan for HP Pavilion at San José. CEQA: Resolution No. 60199. Council Districts 3 and 6. (Transportation)

**Approved.**

## **7 ENVIRONMENTAL & UTILITY SERVICES**

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### **7.1 Approval to award a contract for the Albany-Kiely Storm Drain Improvement Project.**

**Recommendation:** Report on bids and award of contract for the Albany-Kiely Storm Drain Improvement Phase II Project to the lowest responsive bidder, Shaw Pipeline, Inc., for the base bid in the amount of \$1,972,510, and approval of a contingency in the amount of \$197,000. CEQA: Exempt, PP04-316. Council District 1. (Public Works)  
**Approved.**

### **7.2 Approval to award a contract for the Highway 87 Detour II Sanitary Sewer Reconstruction Project.**

**Recommendation:**

(a) Approval to award a contract for the Highway 87 Detour II Sanitary Sewer Reconstruction Phase II Project to the low bidder, McGuire and Hester, in the amount of \$4,939,146, and approval of a contingency in the amount of \$740,900.  
**Approved.**

(b) Adoption of a resolution approving the Highway 87 Detour II Sanitary Sewer Reconstruction Phase II Project and incorporating environmental mitigation measures set forth in the Mitigation Monitoring and Reporting Program for the project.

CEQA: Mitigated Negative Declaration, PP03-12-378. Council District 3. (Public Works)

**Resolution No. 72600 adopted.**

## **8 AVIATION SERVICES**

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### **8.1 Approval of agreement and leases at the Airport.**

**Recommendation:**

(a) Approval of fourth amendments to the On-Airport Rental Car Operations Agreement and Leases with Enterprise Rent-A-Car Company Of San Francisco, Fox Rent A Car, Inc., KRH Enterprises, Inc. dba Payless Rent A Car, and Thrifty Rent-A-Car System, Inc., to extend the term of the agreements on the same terms and conditions from March 31, 2005 to March 31, 2006.

(b) Approval of fourth amendments to the Amended and Restated On-Airport Rental Car Operations Agreement and Leases with Avis Rent A Car System, Inc., Vanguard Car Rental, USA, Inc. dba Alamo/National, Budget Rent-A-Car Systems, Inc., DTG Operations, Inc d/b/a Dollar Rent A Car, and The Hertz Corporation, Inc. to extend the term of the agreements on the same terms and conditions from March 31, 2005 to March 31, 2006.

## 8 AVIATION SERVICES

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### 8.1 Approval of agreement and leases at the Airport. (Cont'd.)

**Recommendation:**

- (c) Approval of first amendments to the Rental Car Storage Ground Leases with Enterprise Rent-A-Car Company Of San Francisco, Fox Rent A Car, Inc., KRH Enterprises, Inc. dba Payless Rent A Car, Thrifty Rent-A-Car System, Inc., to extend the term of the agreements on the same terms and conditions from March 31, 2005 to March 31, 2006, or the beneficial occupancy of the Second Interim Rental Car Facility.
- (d) Approval of seventh amendments to the Rental Car Service Center Ground Lease with Avis Rent A Car System, Inc., Vanguard Car Rental, USA, Inc. dba Alamo/National, Budget Rent-A-Car Systems, Inc., DTG Operations, Inc d/b/a Dollar Rent A Car, and The Hertz Corporation, Inc. to extend the term of the agreements on the same terms and conditions from March 31, 2005 to March 31, 2006.
- (e) Direct staff to report back as a part of the FY 05-06 budget process, an analysis of funding options and economic impacts of requiring living wage as a part of the rental car agreements, including the potential increase of Customer Facilities Charges (CFCs) and associated State approval processes.
- (f) Direct staff to initiate discussions with rental car companies regarding the possible relocation of operations, living wage, and other business terms.

CEQA: Resolution Nos. 67380 and 71451, PP05-038. (Airport)

(Deferred from 3/22/05 – Item 8.1)

**Resolution No. 72601 adopted, extending the existing agreements through August 30, 2005 and direction provided to staff as outlined in the Council memorandum from Vice Mayor Chavez, Council Member Campos, and Council Member Cortese, dated March 29, 2005. Council will provide further direction on implementation of the Living Wage Ordinance at the May 3<sup>rd</sup> hearing.**

## 9 PUBLIC SAFETY SERVICES

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## 10 JOINT COUNCIL/REDEVELOPMENT AGENCY

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- Closed Session Report  
None.

- **Notice of City Engineer's Pending Decision on Final Maps**

In accordance with Sec. 19.16.140d of the San Jose Municipal Code, this is notice of the City Engineer's pending decision on the following Final Maps:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/Units</u>	<u>Type</u>	<u>Proposed Decision</u>
9389	S/E corner of Winchester Blvd. and Olin Ave.	6	Frit SJ Town & Country Village, LLC	1 Lot	MFA	Approve
9681	W/S Coleman Ave. S/O Taylor St.	3	Cousins Properties, Inc.	4 Lots	Comm. Tract	Approve

- **Open Forum—**

(1) **Daniel McCall expressed personal spiritual views.**

(2) **Ross Signorino expressed support for the County/Library Tax Measures set for a special election in May.**

- **Adjournment**

**The Council of the City of San José adjourned at 3:34 p.m. in memory of Keaopolohiwa Mai, Public Safety Dispatcher II, who served the people of San José for over 14 years.**

## **JOINT REDEVELOPMENT AGENCY/COUNCIL ITEM 8.1**

### **8.1 Extension of Time Limits for certain Redevelopment Plans for the San José Redevelopment Project Areas.**

**Recommendation:** Public Hearing and adoption of ordinances by the City Council:

- (a) Amending the time limitations extending by one year the effectiveness of the redevelopment plan and the last day to repay indebtedness or receive property taxes with respect to the Redevelopment Plans for The Alameda, Alum Rock Avenue, East Santa Clara Street, Park Center Plaza, San Antonio Plaza, Story Road, and West San Carlos Street Redevelopment Project Areas.
- (b) Making certain findings consistent with California Redevelopment Law Sections 33333.2(d)(2)(B) and 33333.6(e)(2)(D); and amending the time limitations extending by one year the effectiveness of the redevelopment plan and the last day to repay indebtedness or receive property taxes with respect to the Redevelopment Plans for the Century Center (Original), Edenvale, Guadalupe-Auzerais, Japantown, Julian-Stockton, Market Gateway, Olinder, Pueblo Uno, and Rincon de los Esteros (except 3<sup>rd</sup> Expansion) Redevelopment Project Areas.

[MERGED]

**Ordinance No. 27388 adopted.**

**Ordinance No. 27389 adopted.**